

MEMO ENDORSED



HON. VALERIE FIGUEREDO

UNITED STATES MAGISTRATE JUDGE

DATED: 9-11-2024

PRESENT:

HON. VALERIE FIGUEREDO
U.S. MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

K.C., an infant by her mother and natural guardian
TRISHA CHANTAY BROWN and TRISHA
CHANTAY BROWN individually,

Plaintiff,

-against-

AMERICAN AIRLINES, INC.,

Defendant.

As requested at ECF No. 23,
Defendant may make the settlement
check payable to Plaintiff's attorney
who can then distribute the
settlement funds to Plaintiff.

Docket No.

1:2023-cv-10222 (VF)

**INFANT COMPROMISE
ORDER**

Upon reading and filing the Affidavit of TRISHA BROWN, parent and natural guardian of the infant K.C. herein, duly sworn to the 26th day of March, 2024; the Affirmation of ANDREW LEVINE, ESQ. of the law firm of RAPHAELSON & LEVINE LAW FIRM, P.C., attorneys for the plaintiff; dated the 24th day of May, 2024, the Physician's Affirmation of Dr. Hanna Lopez-Quinones dated the 27th day of March, 2024; and the exhibits attached hereto, and it appearing that the infant, K.C. is now fourteen (14) years of age, having been born on the 9th day of April, 2010, and infant, the parent and natural guardian and the attorney having appeared before me on the __11th__ day of ____September____, 2024 and it appearing that the best interests of the infant will be served, and upon all of the papers, pleadings and proceedings heretofore had herein,

NOW, on motion of ANDREW LEVINE, ESQ. attorney for the plaintiff,

ORDERED, that TRISHA BROWN the mother and natural guardian of the infant K.C. be and she is hereby authorized and empowered to enter into a Compromise of the infant plaintiff's cause of action against the defendant AMERICAN AIRLINES, INC., for personal injuries sustained by the infant, by reason of the negligence of the said defendant and upon the following terms to wit:

That the infant K.C.'s cause of action be and the same is hereby settled for the total sum of \$25,000.00, and it is further

ORDERED, that defendant AMERICAN AIRLINES, INC., shall pay \$25,000.00 in full settlement of the infant K.C.'s claims against it, as follows:

- A. \$8,333.33 to Raphaelson & Levine Law Firm, P.C., as and for its attorneys' fees.
- B. \$524.53 to Raphaelson & Levine Law Firm, P.C., for disbursements.
- C. \$16,142.14 to TRISHA BROWN as mother and natural guardian of K.C., jointly with an officer of the APPLE BANK located at 12 Westchester Square, Bronx, NY 10461, to be deposited in a time deposit or certificate of deposit account as provided hereinafter; and it is further

ORDERED, that the funds to be deposited in the bank account on behalf of K.C. shall be deposited in the above bank in the name of TRISHA BROWN, as mother and natural guardian of K.C., and held for the infant's sole use and benefit in an account paying the highest rate of interest available, subject to the further order of this Court until K.C. reaches the age of eighteen years; and it is further

ORDERED, that the aforesaid time deposit or certificate of deposit account shall be continuously renewed upon maturity at the highest rate of interest then available, except that the

date of maturity shall not extend beyond the infant's eighteenth birthday, and in the event that no such time deposit or certificate of deposit account is available, the accumulated funds shall then be placed in the bank's insured money market accounts; and it is further

ORDERED, that said bank shall, upon the infant's demand thereof, and without further Court Order, pay over to K.C. when she reaches the age of eighteen, on April 9, 2028, all monies held for her benefit in her account upon presentation of proper proof thereof to said bank; and it is further

ORDERED, that, except as provided herein, there shall be no right of withdrawal from the aforesaid bank account, including any insured money market account, until the infant's eighteenth birthday, except upon further order of this Court, which shall be certified by the Clerk of the Court; and it is further

ORDERED, that in the event the infant shall die before reaching the age of eighteen, the balance of the monies held in said infant's account shall be paid to the infant's estate; and it is further

ORDERED, that the plaintiffs shall hold the defendant harmless from any liens; and it is further

ORDERED, that the action of K.C. is discontinued with prejudice against the respondents; and it is further

ORDERED, that conditioned upon compliance with the terms of this Order, TRISHA BROWN be and she is hereby authorized and empowered to execute and deliver General Releases in favor of the defendant, Stipulations of Discontinuance and any other instruments necessary to effect said settlement; and it is further

ORDERED, that the filing of a bond is hereby waived; and it is further

ORDERED, that the guardian TRISHA BROWN shall, within thirty (30) days of the deposit of the money due the infant K.C. herein, in the above designated bank, submit to the Clerk's Office of the within Court, a copy of the Certificate of Deposit issued by said bank.

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Valerie Figueredo', is written above a horizontal line.

HON. Valerie Figueredo
United States Magistrate Judge